APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/544,400	04/06/2000	Thomas R Packwood	J532-002 US	8791

21706   7590   02/13/2004

NOTARO AND MICHALOS
100 DUTCH HILL ROAD
SUITE 110
ORANGEBURG, NY 10962-2100

EXAMINER
AKERS, GEOFFREY R

ART UNIT	PAPER NUMBER
3624	

DATE MAILED: 02/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary

Application No.	Applicant(s)
09/544450	Packwood
Examiner	Art Unit
Akers, G	3624	MH

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE __3__ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☑ Responsive to communication(s) filed on __2/4/04__

2a) ☑ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☑ Claim(s) __1, 7, 12, 14-17, 29, 35, 40, 42-47, 56-61, 63__ is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☑ Claim(s) __1, 7, 12, 14-17, 29, 35, 40, 42-47, 56-61, 63__ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

4) ☐ Interview Summary (PTO-413) Paper No(s). _____

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____

DETAILED ACTION

1. This action is issued in reply to applicant's Amendment B(Paper #12) filed 2/4/04.

2. Claims 1,29,56 were amended.

3. Claims 1,7,12,14-17,29,35,40,42-47,56-61,63 as amended, are pending.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as
> set forth in section 102 of this title, if the differences between the subject matter sought to be
> patented and the prior art are such that the subject matter as a whole would have been obvious
> at the time the invention was made to a person having ordinary skill in the art to which said
> subject matter pertains. Patentability shall not be negatived by the manner in which the invention
> was made.

5.   Claims 1,7,12,14-17,29,35,40,42-47,56-61,63 as amended are rejected under

35 USC 103(a) as unpatentable over Alexander(1996)(vol 1)("Risk Management &

Analysis) in view of Tran(6,202,060) and further in view of May(US Pat. No: 6,421,653).

6.   As per claims 1,7,12,14-17,29,35,40,42-47,56-61,63 as amended, Alexander

teaches a risk assessment system(pages v-vi)) which identifies a plurality of risks

affecting an operation being managed (page viii)(Pages 209-222) and determming actial

risk levels values for the risk factors(Pages 125-236) which can be acceptable or

unacceptable(p. 161)(p. vi)(pages 245-267).Alexander further teaches the risk reporting

and management system wherein there are risk levels(pages 12-40)(pp v-vi). Alexander

also teaches tax efficiency, regulatory efficiency(p 106) as well as balance sheet

management(Sect 10.5) as well as front,middle,back office management(p 210-216)

which is characteristic of running businesses. Alexander addresses financial as well as

business risk models.Alexander cites the various risk models incorporating Monte Carlo

simulation(p 204), measures of risk paradigm(p 225). Alexander also teaches tax

efficiency, regulatory efficiency(p 106) as well as balance sheet management(Sect 10.5)

as well as front,middle,back office management(p 210-216) which is characteristic of

running businesses also. Alexander is concerned with financial as well as business risk

models.Alexander does not specifically teach generation of spreadsheets. In addition to

that taught by Alexander, Tran teaches generating spreadsheets which form basis of

risk management assessments and reports(Fig 22/512)(Fig 6)(Fig 17) as well as editing

saving memo reports(Fig 20) and displaying reports(Fig 27/588)(Fig 28/601) which

includes information analysis relating to competition and stakeholders and analysis of

financial health which is risk assessment analysis(col 35 lines 52-56).Tran also teaches

searching(col 35 lines 59-62) for stakeholder information(col 35 line 54) and financial

health assessments as well as displaying reports including such information(Fig 27)(Fig

22) as well as project planning tools functionality(col 5 lines 46-50). Tran teaches

generating spreadsheets which form basis of risk management assessments and

reports(Fig 22/512)(Fig 6)(Fig 17) as well as editing saving memo reports(Fig 20) and

displaying reports(Fig 27/588)(Fig 28/601) which includes information analysis relating

to competition and stakeholders and analysis of financial health which is risk

assessment analysis(col 35 lines 52-56).Tran further teaches displaying results(Fig 25)

and spreadsheet analysis(col 2 lines 51-61).Tran also teaches searching(col 35 lines

59-62) for stakeholder information(col 35 line 54) and financial health assessments as

well as displaying reports including such information(Fig 27)(Fig 22) as well as project

planning tools functionality(col 5 lines 46-50). Tran further teaches updating

spreadsheet cells from databases with new events(Fig 6/203) as well as entering

formulas in cells(Fig 9/267) which are numbers and which may represent risk factors.

Tran further teaches specifying rules which may also be risk-related parameters(Fig

22/502).It would have been obvious to one skilled in the art at the time of the invention

to combine Alexander in view of Tran to teach part of the disclosure. The motivation to

combine is to teach a data management system utilized for spreadsheets, project

planning, and risk analysis as enunciated by Tran(col 2 lines 12-15). Tran does not

specifically teach a color coded system to display risks. May teaches a color coding

methodology for transactions related to credit preferences of entities which is related to

the default risk and displays risk factors(Abstract)(Fig 1-34)(col 5 line 64-col 6 line

15).May further teaches a credit group(Fig 11) as well as credit preference definition(Fig

24)(Fig 25) and risk positions from entities(Fig 28) and taking into account credit

preferences(Fig 29) as well as updating credit and commensurate risk profiles(Fig

33).May further teaches credit preferences(Fig 7) as well as a credit over-ride

process(col 10 lines 50-55). May further teaches a risk quotient(col 14 lines 4-20) as

well as a user preference interface with a color coding display(col 17 lines 32-53)(Fig

6B) as well as credit risk(col 25 line 61-col 26 line 22) as well as a color coding

according to credit preferences(col 30 line 20-col 31 line 15)(Table 3).It would have

been obvious to one skilled in the art at the time of the invention to combine Alexander

in view of Tran and further in view of May to teach the disclosure. The motivation to

combine is to teach a risk assessment and management method for identifying financial

risk factors and to generate a display for a color coded analysis of the business risks associated with conducting business with designated entities and which enables parties to effectuate credit based transactions based on a color coded risk assessment system as enunciated by May(col 5 lines 20-25).

Response to Arguments

7.   Applicant's arguments with respect to claims as delineated above have been considered but are not persuasive. Tran also teaches searching(col 35 lines 59-62) for stakeholder information(col 35 line 54) and financial health assessments as well as displaying reports including such information(Fig 27)(Fig 22) as well as project planning tools functionality(col 5 lines 46-50). Tran further teaches updating spreadsheet cells from databases with new events(Fig 6/203) as well as entering formulas in cells(Fig 9/267) which are numbers and which may represent risk factors. Tran further teaches specifying rules which may also be risk-related parameters(Fig 22/502). May teaches a color coding methodology for transactions related to credit preferences of entities which is related to the default risk and displays risk factors(Abstract)(Fig 1-34)(col 5 line 64-col 6 line 15).May further teaches a credit group(Fig 11) as well as credit preference definition(Fig 24)(Fig 25) and risk positions from entities(Fig 28) and taking into account credit preferences(Fig 29) as well as updating credit and commensurate risk profiles(Fig 33). May further teaches a risk quotient(col 14 lines 4-20) as well as a user preference interface with a color coding display(col 17 lines 32-53)(Fig 6B) as well as credit risk(col 25 line 61-col 26 line 22) as well as a color coding according to credit preferences(col 30 line 20-col 31 line 15)(Table 3).

Conclusion

8.   **THIS ACTION IS MADE FINAL.**

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9.   Any questions concerning this communication should be addressed to the

primary examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between

6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact

the primary examiner are unsuccessful, the primary examiner's superior, Mr. Vincent

Millin, SPE, may be telephoned at (703)-308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to

Technology Center 3600 or this Art Unit is (703)-308-3687. Any inquiry of a general

nature or relating to the status of this application should be directed to the Group

receptionist whose telephone number is (703)-308-1113.

GRA

February 10,2004

DR. GEOFFREY R. AKERS, P.E.
PRIMARY EXAMINER